

The Hong Kong Daily Press

No. 7342 號二十四百五千七第 日六廿月二十年巳辛緒光 HONGKONG, TUESDAY, FEBRUARY 14TH, 1882. 二拜禮 號四十月二英港香 [PRICE \$24 PER MONTH.]

SHIPPING.

ARRIVALS.
February 13, Sardinia, French steamer, 3,180 Tons, from Sardinia, 14th Jan, Naples, 14th Jan, Port Said 14th, Suez 15th, Aden 22nd, Galle 30th, Singapore 31st Feb, Saigon 3rd, Manila and General - Mrs. SARGENT'S MATRONS.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.

DEPARTURES.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.

PASSENGERS.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.

REPORTS.
The German steamer Phoenix reports left Wu on 7th Feb, and had strong N.E. winds and cloudy weather.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.

AMOI SHIPPING.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.
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SHANGHAI SHIPPING.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.
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POOCHOW SHIPPING.
February 13, Phoenix, German steamer, 789 Tons, from Hong Kong, 14th Jan, Rangoon, 14th Jan, Swire.
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BANKS.

HONGKONG & SHANGHAI BANKING CORPORATION.
PAID-UP CAPITAL, 5,000,000 of Dollars.
RESERVE FUND, 1,000,000 of Dollars.
CHIEF MANAGER, H. J. JACKSON, Esq.
DEPUTY MANAGER, W. J. JACKSON, Esq.
HONGKONG, 14th February, 1882.

THE CHINESE INSURANCE COMPANY, LIMITED.
NOTICE.
FROM this date and during the absence of Mr. J. BRADLEY SMITH, Mr. D. McLAURIN will act as Secretary of the Company.
Wm. REINERS, Chairman.
Board of Directors.
Hongkong, 14th February, 1882.

NOTICE.
W. J. JACKSON, Esq., Chief Manager.
HONGKONG & SHANGHAI BANKING CORPORATION.
HONGKONG, 14th February, 1882.

NOTICE.
M. R. J. LAMKE has been admitted a Partner in my firm, and the business will be carried on from this date under the name of STELL & LAMKE.
R. STELL.
Hongkong, 14th February, 1882.

NOTICE.
MR. ALEXANDER PALMER McEWEN is admitted a Partner in my firm, and the business will be carried on from this date under the name of HOLLIDAY, WISE & CO.
HOLLIDAY, WISE & CO.
Hongkong, 14th February, 1882.

NOTICE.
THE INTEREST AND RESPONSIBILITY OF MR. J. W. DAVENPORT, in one firm, is hereby notified.
H. A. PETERSEN & CO.
Amoy, 10th January, 1882.

NOTICE.
MR. FREDERICK DEBLOIS BUSH is admitted a Partner in my firm from this date, and Mr. GEORGE H. WHEELER is authorized to sign my name.
RUSSELL & CO.
China, 1st January, 1882.

TO BE LET.
NO. 2, LOWER MOSQUE TERRACE.
Apply to J. M. ARMSTRONG.
Hongkong, 9th February, 1882.

TO BE LET.
D. WELLINGTON HOUSE, No. 8, Old Bailey Street, thoroughly repaired and newly painted.
Apply to ALEX. A. DE REMEDIOS, at Messrs. J. J. DOUGLAS & CO., 31, Queen's Road, Hongkong, 8th February, 1882.

TO BE LET.
THE well known BUNGALOW with Garden, on Mount Kelong, the property of Mr. T. C. HAYLAND, Q.C. can be inspected at any time on application to the Watchman.
Apply to R. G. ALFORD, Surveyor, Esq., at Queen's Road, Hongkong, 1st February, 1882.

TO BE LET.
ROOMS in CHUNG LEE STREET, No. 1, The DWELLING HOUSE, No. 3, Calm Road, Possession from 1st of March.
Apply to DOUGLAS LAFRAIK & CO., Hongkong, 14th February, 1882.

TO BE LET.
HONGKONG WHARF & GODOWNS.
Goods received on STORAGE at Moderate Rates, in First-class Godowns.
Apply to R. G. ALFORD, Surveyor, Esq., at Queen's Road, Hongkong, 1st February, 1882.

TO BE LET.
GODOWNS and STORAGE, Central, Water, with new landing stage.
Also, 8 small GRANITE GODOWNS at Basement of Temporary Hall.
Apply to SHARP, TOLLETT & JOHNSON, Hongkong, 10th September, 1881.

TO BE LET.
THE HOUSE No. 1, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211st, 212th, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 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1263rd, 1264th, 1265th, 1266th, 1267th, 1268th, 1269th, 1270th, 1271st, 1272nd, 1273rd, 1274th, 1275th, 1276th, 1277th, 1278th, 1279th, 1280th, 1281st, 1282nd, 1283rd, 1284th, 1285th, 1286th, 1287th, 1288th, 1289th, 1290th, 1291st, 1292nd, 1293rd, 1294th, 1295th, 1296th, 1297th, 1298th, 1299th, 1300th, 1301st, 1302nd, 1303rd, 1304th, 1305th, 1306th, 1307th, 1308th, 1309th, 1310th, 1311st, 1312nd, 1313th, 1314th, 1315th, 1316th, 1317th, 1318th, 1319th, 1320th, 1321st, 1322nd, 1323rd, 1324th, 1325th, 1326th, 1327th, 1328th, 1329th, 1330th, 1331st, 1332nd, 1333rd, 1334th, 1335th, 1336th, 1337th, 1338th, 1339th, 1340th, 1341st, 1342nd, 1343rd, 1344th, 1345th, 1346th, 1347th, 1348th, 1349th, 1350th, 1351st, 1352nd, 1353rd, 1354th, 1355th, 1356th, 1357th, 1358th, 1359th, 1360th, 1361st, 1362nd, 1363rd, 1364th, 1365th, 1366th, 1367th, 1368th, 1369th, 1370th, 1371st, 1372nd, 1373rd, 1374th, 1375th, 1376th, 1377th, 1378th, 1379th, 1380th, 1381st, 1382nd, 1383rd, 1384th, 1385th, 1386th, 1387th, 1388th, 1389th, 1390th, 1391st, 1392nd, 1393rd, 1394th, 1395th, 1396th, 1397th, 1398th, 1399th, 1400th, 1401st, 1402nd, 1403rd, 1404th, 1405th, 1406th, 1407th, 1408th, 1409th, 1410th, 1411st, 1412nd, 1413th, 1414th, 1415th, 1416th, 1417th, 1418th, 1419th, 1420th, 1421st, 1422nd,

of a Chinese wife would be the duty of the husband to determine all questions relating to it. Common form business, as it is in England, often included matters related to probates of the wills of married women. And during coverture, and the validity of marriage itself must, one would imagine, be the first subject of enquiry. Note the case of Yeap Choo Neo On v. Ong Nee, reported in L.R.P.C. cases, p. 10, and that the Supreme Court of Penang,

and having similar powers, preside in all matters connected with the court except a Chinese resident, and deal with all suits without objection, and the Privy Council supports the decision of the Court. I do not think the objection now taken to the jurisdiction of the Court on this point is well founded. The original charter constituting the Court, and by Sect. 4 of Ordinance No. 6 of this Law of England is only to be in full force when the same shall be applicable to the circumstances of the case, and it is not to be applied to a case where the parties are persons who it was known practiced polygamy. As regards to the other points raised by the learned Attorney General, the Jury have decided that the marriage between the Chinese and Wong Choo Lay is valid, according to Chinese custom, it must be held so far valid and the question is whether this Court can enforce the duties, and obligations, that are implied in the recognition of such a marriage. After giving the subject a great deal of consideration and studying as many of the au-

referred to at the hearing, are within the scope of the Constitution of laws, and the international law, and the United States Court has refused to apply to this case at any rate of the incidents of a marriage entered into by a subject of the United States to the law of England, one of which is the liability of a married woman during her husband's life to property taxes, which she has no power of appointment, or which is not due to her separate use, so far as it can do so. It may be said that as such things are powers of appointment and settlement, and not incidents of the marriage, the application of the law of England to the status of Chinese married women disposes of them from disposing of property acquired by them. It is unfair and presses heavily upon them, and it is not the purpose of this article to defend and to leave his wife for years, and reside in foreign land without contributing to her support. No doubt this is somewhat of a hardship. The United States is not a party to the Convention, and it is held that the law of China cannot hold property independently of her

and, and has no power to bequeath it without consent, and besides, the Courts in this country have the law of the land, and the law of Chinese married women from liability in respect of contracts, during cohabitation the inconvenience arising from it. The equity in this case derived by the testatrix from her house, and the right to it, is not brought before marriage. In this case the *res sita* would prevail, and the application of English law need not press so unfairly on Chinese married women as it seems to do. In this case, where the dies is the personal property. Houses and land held upon leases by a colony are chattels real, and on the marriage the husband, not absolutely but during his life, has the right to take the profits and sell and dispose of it *sub testamento*. C. Litt. p. 43. If he survives his wife it is his absolutely. If he dies before his wife and has not made any disposition of it, it is his absolutely, and he can bequeath it as he pleases, and it is not put in the hands of the Court. If he survives his wife, and she dies, it is his absolutely.

husband's lifetime it survives to him: Co. v. 351. Thus in granting probate of the will of a Chinese-married woman devising chattels to her husband, the court was not acting on a system which the law of England never allowed to exist as being contrary to interests of society. With regard to the question that Chinese-married women polygamists, the Court of a Christian community does not recognize them, that is no doubt an argument of great force when confuted to the personal actions of the parties arising from such a marriage. It is a question of public policy, and not of the kind of ecclesiastical jurisdiction which the Court of this Colony has nothing to do with. The case of Hyde v. Hyde &c. 1 P. 130, cited by the learned Attorney-General, and the case of *Hyde v. Hyde*, decided in England in 1879, for the dissolution of a Mormon marriage. The Court held that the compact of a polygamous union does not carry with it those consequences which are incident to a marriage intended to endure. Thus, the court said:

rights connected with property. There be judgment for the petitioner. Costs of the and this motion to come out of the estate. The Court then adjourned till the 10th of the month as the Acting Chief Justice, and for the reasons. The rights and disabilities of in this Colony had been too long reduced to be revoked now. Women were said to give evidence for and against their husbands; the law of England was recognised and he did not see any reason why that he should be set aside now.

IN ORIGINAL JURISDICTION.

FROM THE HON. F. SNOWDEN, ACTING CHIEF JUSTICE.

WONG TSEU KOW LAM Y. LIAU TSE HIN.

France, instructed by Messrs. Stephen Holmes, appeared for the defendant and for a rule nisi calling upon the plaintiff not to sue why his petition should not be

ness without the defendant being called to file an answer. The suit was, for its performance a contract for the sale of a number of eleven houses, and the ground which the present motion was made was that there was no sufficient description of the property which to grant specific performance, the suit was not being specified in any way, except as to the fact that it was a certain street. The decree was granted, and it was left to the court as to arrange when they would have it made. Mr. Francis stating that he heard there was some probability of a settlement.

POLICE COURT.

18th February.

BEFORE DE. F. SEWANT.

**DISORDERLY BEHAVIOUR IN THE CIVIL
HOSPITAL.**

John Smith, seaman, was charged with having guilty of disorderly conduct in the Civil division of the 12th district.

J. Corliff, yardmaster at the Civil-division, said the defendant went to him and for a bed, and he said he had seen the man. Mr. Murray said he had seen the man, and that he was in the hospital from, so he he replied "heart disease." It was found he was nothing wrong with the man excepting he was the worse for liquor. The fellow was another complaint.

Mr. Murray said he found nothing wrong with him, and he said that officer had had before referred between the man and Mr. Murray, upon the man. He was with a great deal of the man. He was in consequence given on bond.

The defendant said he was sorry if he had said anything wrong, and asked for forgiveness. He said he was going to leave that or the other of the steamship.

He was cautioned and discharged.

rowing rubbish into the harbor. The fishing boat, was tied fifty cents, in the harbor, and the fishing boat was towed into the harbor. The defendant admitted the charge and two pre-arrest convictions for breach of Markets Ordinance.

FISHING CRACKERS.

Yee Ann, boatman, was fined \$1, in default of which he was imprisoned, for selling crackers in the harbor.

CELESTINE POSSESSION.

In Aohau, officer was charged with the unlawful possession of a bundle of clothing on the street.

C-236 stated that on the 12th instant at 10 p.m. he was on duty at King Lane street. He saw a man, who was coming from Eastward, carrying a bundle of children's clothing in C-236's arms. He asked him where he got it, and he said he picked it up at Wanchau. Writings on the bundle were taken down. At the moment he was asked if he picked the bundle.

the Clock Tower. The prisoner was walk-
with some others, who, on seeing witness,
"there is a lokang."
The prisoner said that he saw a woman in a
jinkasha drop the bundle. He took it up and
ed out but the jinkasha did not stop. He
ended following, but the constable arrested
him and fined 10 shillings, with the alternative of
fourteen days' hard labour.
NORNING A CHILD.
Yong Akar, coolie, was charged on remand,

are registered from 1 to 24, and the quantity of water raised indicated in inches, tens and hundreds.

Hongkong, 11th May, 1880.

21. **Помехово.**

Hongkong, 13th January, 1882. 14

Hongkong, January, 1882.

Hongkong, 1st October, 1977.

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